

**Notice of Allowability**

Application No.

10/790,055

Examiner

William H. Mayo III

Applicant(s)

SEXTON ET AL.

Art Unit

2831

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to March 3, 2006.
2. ☒ The allowed claim(s) is/are 1-3,5-39,41 and 42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 03/03/06.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 02/02/ & 01/19/06, 03/03/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other Drawing Changes.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 2, 2006 and January 10, 2006, has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statements filed February 2, 2006 and January 19, 2006, has been submitted for consideration by the Office. It has been placed in the application file and the information referred to therein has been considered.

### ***Allowable Subject Matter***

3. Claims 1-3, 5-39, and 41-42 are allowed.
4. The following is an examiner's statement of reasons for allowance: This invention deals with an electrical wire comprising at least one electrifiable conductor and first and second return conductors formed on opposing sides of the at least one electrifiable conductor, wherein the at least one electrifiable conductor is entrapped by the first and second conductors, wherein a distance between the at least one electrifiable conductor

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and each of the first and second return conductors is no greater than approximately 0.030 inches (claims 1, 10, & 24). This invention deals with a method of forming an electrical wire comprising forming at least one electrifiable conductor, forming first and second return conductors formed on opposing sides of the at least one electrifiable conductor, wherein the at least one electrifiable conductor is entrapped by the first and second conductors, wherein a distance between the at least one electrifiable conductor and each of the first and second return conductors is no greater than approximately 0.030 inches (claim 30). This invention also deals with an electrical wire comprising at least one electrifiable conductor and first and second return conductors formed on opposing sides of the at least one electrifiable conductor, wherein the at least one electrifiable conductor is entrapped by the first and second conductors, wherein a total thickness of the electrical wire is no more than approximately 0.050 inches (claims 41 & 42). The above stated claim limitations, in combination with other claim limitations, is not taught or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Drawings***

5. The drawings were received on March 3, 2006. These drawings are not approved.
6. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: The applicant should refer to the drawing illustration for guidance on how the corrected drawings should be illustrated. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

***Response to Arguments***

7. Applicant's arguments filed March 3, 2006 have been fully considered and they are persuasive. Specifically, the Declaration filed under 37 CFR 1.132 detailed expected results and why it would not have been obvious to one of ordinary skill in the art to modify the teachings of Champeau (US Pat Num 5,068,632) with the teachings of Farquhar (US Pat Num 5,874,324) to provide Champeau with the thickness and configuration of the flat cable, is persuasive and therefore the claims have been allowed.

***Communication***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Mayo III whose telephone number is (571)-

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272-1978. The examiner can normally be reached on M-F 8:30am-6:00 pm (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William H. Mayo III  
Primary Examiner  
Art Unit 2831

WHM III  
March 3, 2006

## Drawing Sheet Showing Changes Made

